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Examiner James W. Cranson, Jr. Group Art Unit 2875 U.S. Patent and Trademark Office	571-272-2368	703-872-9306

From : Michael F. Hay
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Date : August 17, 2005
Client/Matter No : 023727-2201
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MESSAGE:

U.S. Patent Application No. 10/678,037

Following is:

- 1) Response to Restriction Requirement.
- 2) Authorization to charge Deposit Account No. 50-0872.

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Atty. Dkt. No. 023727-2201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Uke and Arnett
Title: EMERGENCY FLASHLIGHT
Appl. No.: 10/678,037
Filing Date: 9/30/2003
Examiner: Cranson Jr., J.W.
Art Unit: 6671

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. <u>Rachel Caputo</u> (Printed Name) <u>[Signature]</u> (Signature) <u>August 17, 2005</u> (Date of Deposit)

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action dated July 18, 2005, the Examiner identified four species of the claimed invention, and required election between Figures 1-6 (Species I), Figures 7-10 (Species II), Figure 11 (Species III), and Figures 12 (Species IV).

In response to the Election of Species requirement, Applicant hereby elects Species I, encompassing claims 1-52 and 60-72, for examination, with traverse. Each of claims 1-52 and 60-72 require a light source assembly oriented at 90 ± 30 degrees to the long axis of the battery housing, as is shown in the figures corresponding to Species I.

Applicant believes that it has responded fully to the requirement for election of species. The Examiner is reminded that an election of species is a starting point for searching and that if no prior art is found, the Examiner is required to expand the search to encompass other species until all species have been examined.

Favorable consideration of the application is respectfully requested.

AUG. 17. 2005 4:45PM

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NO. 3298 P. 3/3

Atty. Dkt. No. 023727-2201

Respectfully submitted,

Date Aug. 17, 2005

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